

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARI BARUCH TEMAN,

Plaintiff,

Civil Action No.: 1:24-CV-09830
(LJL)

- against -

Hon. Lewis J. Liman, D.J.

ZELDES NEEDLE COOPER LLP, JEREMY VIRGIL,
MAXIMINO MEDINA, RICHARD A. SARNER,
EDWARD R. SCOFIELD, LORI A. DASILVA-FIANO,
SABATO “SAM” P. FIANO, RICHARD D. ZEISLER,
MARIE A. CASPER, ROBERT S. COOPER, LISA C.
DUMOND, and DOES 1-10,

Defendants.
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**REPLY DECLARATION OF CRISTINA YANNUCCI, ESQ. SUBMITTED IN SUPPORT
OF ALL DEFENDANTS’ MOTION TO DISMISS PLAINTIFF’S COMPLAINT**

I, **CRISTINA YANNUCCI, ESQ.**, pursuant to 28 U.S.C. 1746, declare the following under the penalties of perjury:

1. I am a member of the law firm Lewis Brisbois Bisgaard & Smith, LLP, attorneys for Defendants ZELDES, NEEDLE & COOPER, P.C. (i/s/h/a Zeldes Needle Cooper LLP) (“ZNC”), JEREMY VIRGIL, MAXIMINO MEDINA, RICHARD SARNER, EDWARD R. SCOFIELD, LORI A. DASILVA-FIANO, SABATO “SAM” P. FIANO, RICHARD D. ZEISLER, MARIE A. CASPER, ROBERT S. COOPER, and LISA C. DUMOND (with ZNC, collectively, “Defendants”) in the above-captioned matter.

2. I am an attorney admitted to practice before this Honorable Court.

3. I submit this Declaration, the exhibit annexed hereto, along with the accompanying Reply Memorandum of Law, dated May 29, 2025, in further support of Defendants’ motion seeking an Order: (a) dismissing the Complaint of Plaintiff ARI BARUCH TEMAN (“Plaintiff”)

in its entirety, with prejudice, pursuant to 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure (“FRCP”); or, alternatively, (b) dismissing the Complaint as against the individually-named attorney Defendants as a matter of law; and, (c) granting such other and further relief as this Court deems just and proper.

4. The document annexed hereto is integral to the allegations and of which this Court make take judicial notice of pursuant to Rule 201(b)(2) of the Federal Rules of Federal Procedure:

Exhibit 5: Plaintiff’s email correspondence sent to Defendants’ counsel, dated May 6, 2025, redacted as to settlement communications.

5. I declare under the penalties of perjury that the foregoing is true and correct.

Dated: New York, New York
May 29, 2025

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Cristina Yannucci, Esq.
Cristina Yannucci, Esq.
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Via Email and PACER

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